

**REMARKS**

Claims 1-30 are all the claims pending in the application.

**I. Claim Rejections - 35 U.S.C. § 112**

Claims 2-5 are rejected under 35 U.S.C. § 112, second paragraph. The Examiner notes that he interprets the inspection tape and the magnetic tape as one in the same, and that the language is ambiguous in that one can interpret the claim as including two separate tapes.

The Examiner also notes that the preamble of the claims teach a manufacturing method, so the body of the claims should set out the steps comprising the manufacture of an inspection use tape.

To address the Examiner's concerns, Applicant herein amends the claims to clarify the manufacturing method of an inspection use tape, as recited in independent claims 2 and 3. Also, Applicant amends the claims to clarify any confusion with respect to the inspection tape and the magnetic tape. Since claims 4 and 5 respectively depend from herein amended claims 2 and 3, the rejection of dependent claims 4 and 5 has been addressed as well. Accordingly, Applicant respectfully requests that the 35 U.S.C. § 112 rejection of claims 2-5 be withdrawn.

Further, Applicant submits that the amendments made herein to the claims are exclusively for clarification purposes and not for narrowing the claim set or for altering the scope. The amendments only show what was believed to have already been claimed therein. Thus, no equivalents are foreclosed by these non-narrowing amendments.

## **II. Claim Rejections - 35 U.S.C. § 102**

Claims 6-9 stand rejected under 35 U.S.C. § 102(b) as allegedly being anticipated by Yanagibashi. The Examiner noted that the Abstract of Yanagibashi teaches testing a number of tapes.

Also, the Examiner rejected claims 2-5 and noted that since claims 2-5 do not set forth any manufacturing steps or processing method, *any product being a testing tape* is sufficient to reject claims 2-5. The Examiner did not reject claims 2-5 over any particular prior art.

First, Applicant discusses the patentability of claims 2 and 3. As noted above, claims 2 and 3 have been amended to clarify the manufacturing method of an inspection use tape. Applicant submits that claims 2 and 3 are clearly patentable over *any product being a testing tape* (as noted by the Examiner). Moreover, *any product being a testing tape*, would not teach or suggest a manufacture method of an inspection use tape, used for an inspection of a magnetic tape drive, comprising: displacing a servo signal writing head writing a servo signal in a magnetic tape so as to meander in a width direction of said magnetic tape at a predetermined frequency and amplitude, wherein the servo signal is written in said magnetic tape to thereby constitute the inspection use tape, as recited in claims 2 and 3.

Second, with regard to Yanagibashi, Yanagibashi does not read on the features of claims 2 and 3 either. Specifically, the teachings of Yanagibashi were applied by the Examiner with respect to claims 6-9, and no teachings of Yanagibashi were directed toward the above-identified features of claims 2 and 3.

Nevertheless, Applicant submits that Yanagibashi fails to teach or suggest a manufacture method of an inspection use tape, used for an inspection of a magnetic tape drive, comprising

displacing a servo signal writing head writing a servo signal in a magnetic tape so as to meander in a width direction of said magnetic tape at a predetermined frequency and amplitude, wherein the servo signal is written in said magnetic tape, thereby constituting the inspection use tape, as recited in claims 2 and 3. Indeed, Yanagibashi is not aimed at the manufacture method of an inspection use tape and makes no disclosure regarding the same.

For at least the reasons above, independent claims 2 and 3 along with dependent claims 4-9 are patentable over the prior art of record.

Therefore, Applicant respectfully requests the Examiner to reconsider and withdraw the 35 U.S.C. § 102 rejection of independent claims 2 and 3 and their dependent claims 4-9.

### **III. Allowable Subject Matter**

The Examiner has allowed claims 1, 10, 18-25, and 28.

Claims 11-17, 26-27, and 29-30 stand objected to as being dependent upon a rejected base claim. Applicant has herein amended base claims 2 and 3, which clearly distinguish over the prior art of record. Thus, Applicant submits that dependent claims 11-17, 26-27, and 29-30 are allowable in their present form.

In view of the above, reconsideration and allowance of this application are now believed to be in order, and such actions are hereby solicited. If any points remain in issue which the Examiner feels may be best resolved through a personal or telephone interview, the Examiner is kindly requested to contact the undersigned at the telephone number listed below.

AMENDMENT UNDER 37 C.F.R. § 1.111  
U.S. Appln No. 10/727,046

Attorney Docket No. Q78736

The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.

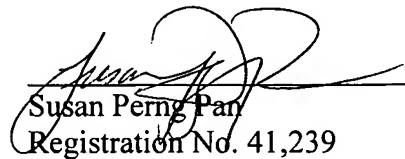
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